

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF NEW YORK

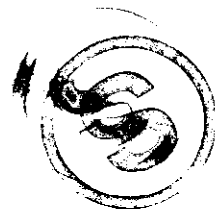
UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

Paul M. Lemperle

CASE NUMBER: 1:07-M-126 RFT



I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or between October and November 9, 2006 in Albany county, in the Northern District of New York defendant(s) did, (Track Statutory Language of Offense)

use a facility or means of interstate or foreign commerce to knowingly and willfully attempt to persuade, induce, entice, or coerce an individual who has not attained the age of 18 years to engage in a sexual act for which he may be criminally prosecuted

in violation of Title 18 United States Code, Section(s) 2422(b)

I further state that I am a(n) Sgt. with the Colonie Police Department and a member of the FBI Cyber Predator Task

Official Title

Force and that this complaint is based on the following facts:

1. On or about November 10, 2006, Jane Doe, a 12 year old minor, informed members of the Colonie Police Department that she had met the defendant through the "MySpace" website and thereafter engaged in online communications utilizing America Online Instant Messaging and she also spoke to him once on his cellular telephone. She also stated that during one of their conversations, the defendant asked her if she was a virgin and, in other conversations, discussed things of a sexual nature, including a position to engage in sexual intercourse. According to Jane Doe, the two eventually agreed to meet in person in Colonie, New York.

2. According to Jane Doe, on or about November 9, 2006, the defendant traveled to the Colonie High School in Colonie, New York and picked her up. The two thereafter drove to one of the school's parking lots located in front of the school. According to Jane Doe, she and the defendant then sat in the back seat of the defendant's vehicle. A short while later, the two were approached by a Colonie Police Officer.

3. According to the defendant, he was 24 years old on November 9, 2006.

4. The use of America Online to communicate involves electronic transmissions that travel from the point of destination to the State of Virginia.

5. Attempted vaginal intercourse and oral sex between a 12 year old female and 24 year old male is a crime in the State of New York under NYS Penal Law, Sections 110/130.25 (2) and 110/130.40 (2). Sexual contact between an adult and a minor is a crime in the State of New York under NYS Penal Law, Section 130.55.

Continued on the attached and made a part hereof. Yes ☒ No

Signature of Complainant

Sgt. Ken Fuchs

Colonie Police Department

FBI Cyber Predator Task Force

Sworn to before me, and subscribed in my presence,

May 2, 2007

Date

at

Albany, New York

City and State

Mag. Randolph F. Treece

Name and Title of Judicial Officer

Signature of Judicial Officer